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STATUTORY INSTRUMENTS

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**2007 No. 1179 (C. 52)**

**NATIONAL HEALTH SERVICE**

**The Health Act 1999 (Commencement No. 16) Order 2007**

Made - - - - 3rd April 2007

The Secretary of State for Health, in exercise of the powers conferred by section 67(1) and (2) of the Health Act 1999(1) makes the following Order:

**Citation**

1. This Order may be cited as the Health Act 1999 (Commencement No. 16) Order 2007.

**Appointed day**

2. 3<sup>rd</sup> April 2007 is the day appointed for the coming into force of the following provisions of the Health Act 1999—

- (a) subsection (7) of section 33 (powers relating to voluntary schemes)(2) except in so far as it relates to subsection (8) of section 33 and to section 35 (statutory schemes)(3);
- (b) section 36 (statutory schemes: supplementary)(4);
- (c) section 38 (controls: supplementary)(5) in so far as not already in force except in so far as it relates to sections 33(8) and 35.

Signed by authority of the Secretary of State for Health

3rd April 2007

*Hunt*  
Minister of State,  
Department of Health

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(1) 1999 c. 8. Commencement of the relevant provisions brings into force the re-enactment of those provisions in the National Health Service Act 2006 (c. 41) (“the 2006 Act”) – see section 277(4) of the 2006 Act.  
(2) Section 33 has been re-enacted as section 261 of the 2006 Act.  
(3) Section 35 has been re-enacted as section 263 of the 2006 Act.  
(4) Section 36 has been re-enacted as section 264 of the 2006 Act.  
(5) Section 38 has been re-enacted as section 266 of the 2006 Act.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 3rd April 2007 certain provisions of the Health Act 1999 relating to the control of prices of health service medicines and profits which may accrue in connection with the manufacture or supply of those medicines.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Health Act 1999 have been brought into force by commencement order made before the date of this Order. In addition to the provisions listed below, various provisions of Part II of, and Schedules 4 and 5 to, the Act that extend only to Scotland have been brought into force on 1st October 1999 by the Health Act 1999 (Commencement No. 4) (Scotland) Order 1999, [S.S.I. 1999/90 \(C. 66\)](#), on 14th October 1999 by the Health Act 1999 (Commencement No. 6) (Scotland) Order 1999, [S.S.I. 1999 No. 115 \(C.73\)](#) and on 1st March 2000 by the Health Act 1999 (Commencement No.7) (Scotland) Order 2000, [S.S.I. 2000 No. 38 \(C.2\)](#).

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
s. 1 as to England	1.10.99	<a href="#">1999/2540</a>
as to Wales	1.4.00	<a href="#">2000/1026</a>
s. 2 as to England (partially)	8.9.99	<a href="#">1999/2342</a>
(remainder)	4.1.00	<a href="#">1999/2342</a>
s. 3 as to England	1.4.00	<a href="#">1999/2342</a>
s. 4 as to England (partially)	1.9.99	<a href="#">1999/2342</a>
(remainder)	1.4.00	<a href="#">1999/2342</a>
s. 5 as to England (partially)	4.1.00	<a href="#">1999/2342</a>
s. 6(1) as to England	4.1.00	<a href="#">1999/2342</a>
s.6(2) as to England	1.4.04	<a href="#">2004/289</a>
s. 7 as to England	4.1.00	<a href="#">1999/2342</a>
s. 8 as to England	1.9.99	<a href="#">1999/2342</a>
s. 9 as to England	1.4.00	<a href="#">1999/2793</a>
as to Wales	1.4.00	<a href="#">2000/1041</a>
s. 11 as to England	1.9.99	<a href="#">1999/2342</a>
as to Wales	1.4.00	<a href="#">2000/1026</a>

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
s.12 as to England (partially)	1.9.99	1999/2342
(remainder)	4.1.00	1999/2342
as to Wales (partially)	1.12.99	1999/3184
ss. 13 and 14 as to England	1.10.99	1999/2540
as to Wales	1.11.99	1999/3184
ss. 15 to 17 as to England	1.9.99	1999/2342
as to Wales	1.11.99	1999/3184
s. 18 as to England (partially)	1.11.99	1999/2793
(remainder)	4.1.00	1999/2793
as to Wales (partially)	1.11.99	1999/3184
s. 19	1.11.99	1999/2793
s. 20 as to England and Wales (partially)	1.11.99	1999/2793
as to England (remainder)	4.1.00	1999/2793
s. 21 as to England	4.1.00	1999/2793
as to Wales	1.4.00	2000/1041
ss. 23 to 25	1.11.99	1999/2793
ss. 26 to 27 as to England	1.4.00	1999/2793
as to Wales (partially)	1.12.00	2000/2991
s.28 as to England	1.4.00	1999/2793
as to Wales (partially)	1.11.99	1999/3184
s. 29 as to England (partially)	1.11.99	1999/2793
(remainder)	1.4.00	1999/2793
as to Wales (partially)	1.12.00	2000/2991
ss. 30 to 32 as to England	1.4.00	1999/2793
ss. 30 and 31 as to Wales (partially)	1.12.00	2000/2991
s. 32 as to Wales	1.1.01	2000/2991
s. 33(1) to (6) (partially)	1.9.99	1999/2177
s. 34 (partially)	3.8.99	1999/2177
(remainder)	1.11.99	1999/2177
s. 36 (partially)	3.8.99	1999/2177
s. 37 (partially)	3.8.99	1999/2177

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
s. 37(1) to (9) (remainder)	1.11.99	1999/2177
s. 38 (partially)	3.8.99	1999/2177
(partially)	1.9.99	1999/2177
(partially)	1.11.99	1999/2177
s. 39 as to England	1.11.99	1999/2793
as to Wales	9.2.01	2001/270
s. 41	1.4.00	1999/2793
ss. 42 to 44	1.10.99	1999/2540
s. 60 (partially)	15.3.00	2000/779
(partially)	11.5.01	2001/1985
(partially)	1.4.02	2002/1167
(partially)	9.7.03	2003/1689
as to England (partially)	1.8.04	2004/1859
s. 62	3.8.99	1999/2177
s. 63	3.8.99	1999/2177
s. 64	3.8.99	1999/2177
Schedule 1		
as to England (partially)	8.9.99	1999/2342
as to England (partially)	4.1.00	1999/2342
as to England (remainder)	1.4.00	1999/2342
Schedule 2		
as to England and Wales	1.11.99	1999/2793
paragraphs 15 to 19 as to Scotland	11.5.01	2001/1985
paragraphs 17 to 19 as to Northern Ireland	11.5.01	2001/1985
Schedule 4 (and s. 65(1) in so far as it relates to the paragraphs specified below)—		
paragraphs 4 (partially), 6, 9 (partially), 12(1) (partially), 12(3)(b), 24, 26, 30(1) (partially), 30(2), 31(1) (partially), 31(3), 32, 34(b), 37(1) and (4) (partially), 37(5) and (6), 38(1) and (3) (partially), 39, 74 (partially), 75, 76(b), 83(1) (partially), 83(4), 84, 88(1) (partially) and 88(5) as to England	1.9.99	1999/2342
paragraphs 8 (partially), 15, 27(a) (partially), 71 (partially), 83(1) (partially), 83(6), 85(1) (partially), 85(3) and (4), 88(1) (partially), 88(6) and 90 as to England	1.10.99	1999/2540

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
paragraphs 4 (partially), 14(1), (3) and (4) (partially), 14(2) and paragraph 36 as to England	1.11.99	<a href="#">1999/2793</a>
paragraphs 74 (partially), 76(a)(ii), 81(1) (partially) and 81(2)(b) as to England and Wales	1.11.99	<a href="#">1999/2793</a>
paragraphs 4 (partially), 37(1) (partially), 37(5) and (6), 79(1) (partially) and 79(2)(a) and (c) as to Wales	1.11.99	<a href="#">1999/3184</a>
paragraphs 4 (partially), 5, 6, 9 (partially), 12(1) (partially), 12(3)(b), 15, 26, 30(1) (partially), 30(2), 31(1) (partially), 31(3), 32, 34(b), 37(1) and (4) (partially), 38(1) and (3) (partially), 39, 74 (partially), 75, 76(b), 83(1) (partially), 83(4), 88(1) (partially) and 88(5) as to Wales	1.12.99	<a href="#">1999/3184</a>
paragraphs 1, 3, 4 (partially), 5, 7, 9 (remainder), 10, 11, 12 (remainder), 13, 23, 25, 27(a) (remainder), 28, 29, 30 (remainder), 34 (remainder), 37 (remainder), 38(1) (partially), 38(2)(a) and (c), 38(3) (remainder), 40, 71 (remainder), 74 (partially), 77 to 79, 81 (except (2)(b)), 83(1) to (5) and (7) (remainder), 87, 88(1) to (5) (remainder) and 89 as to England	4.1.00	<a href="#">1999/2342</a>
paragraphs 74 (partially), 76(a)(i), 85(1) (partially) and 85(2)(a) as to England and Wales	4.1.00	<a href="#">1999/2342</a>
paragraphs 4 (partially) and 16 as to England	4.1.00	<a href="#">1999/2540</a>
paragraphs 4 (partially), 31 (remainder), 33 and 35 as to England	1.4.00	<a href="#">1999/2342</a>
paragraphs 4 (partially), 14 (remainder) and 72 as to England	1.4.00	<a href="#">1999/2793</a>
paragraphs 73, 74 (partially), 82 and 86 as to England and Wales	1.4.00	<a href="#">1999/2342</a>
paragraphs 4 (partially), 27(b), 38(1) (partially), 38(2)(b) and (d) and 65 to 69 as to England and Wales	1.4.00	<a href="#">1999/2793</a>
paragraphs 4 (partially), 8 (partially), 24, 27(a) (partially), 71(a) and (b), 74 (partially), 83(6), 84, 85(4) and 90 as to Wales	1.4.00	<a href="#">2000/1026</a>
paragraphs 4 (partially) and 14 (partially) as to Wales	1.12.00	<a href="#">2000/2991</a>
paragraphs 4 (partially), 14 (partially) and 72 as to Wales	1.1.01	<a href="#">2000/2991</a>
paragraph 4 (partially) and 8 (fully) as to England	1.8.04	<a href="#">2004/1859</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
paragraphs 73 and 86 (as to Scotland and Northern Ireland)	11.5.01	<a href="#">2001/1985</a>
Schedule 5 (and s. 65(2))—		
as to England (partially)	1.10.99	<a href="#">1999/2540</a>
as to England (partially)	1.11.99	<a href="#">1999/2793</a>
as to England and Wales (partially)	1.11.99	<a href="#">1999/2793</a>
as to England and Wales (partially)	1.4.00	<a href="#">1999/2793</a>
as to the United Kingdom (partially)	1.11.99	<a href="#">1999/2793</a>
as to England and Wales (partially)	1.4.00	<a href="#">2000/1041</a>
as to England and Wales (partially)	9.2.01	<a href="#">2001/270</a>
as to the United Kingdom (partially)	11.5.01	<a href="#">2001/1985</a>
as to the United Kingdom (partially)	1.4.02	<a href="#">2002/1167</a>
as to the United Kingdom (partially)	9.7.03	<a href="#">2003/1689</a>
as to England (partially)	1.8.04	<a href="#">2004/1859</a>
as to the United Kingdom (partially)	1.8.04	<a href="#">2004/1859</a>